

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 8-18, 25-30 and 32 are in the case.

I. THE INTERVIEW

At the outset, the undersigned wishes to acknowledge the interview conducted with the Examiner (Mr. Hendrickson) and his supervisor (Mr. Lish). The courtesies extended by the Examiner and his supervisor were most appreciated. As noted in the Interview Summary Record, agreement was reached with respect to all of the claims discussed in relation to the cited art. The substance of the interview will be clear from the comments presented below in relation to the specific outstanding rejections.

II. THE OBVIOUSNESS REJECTIONS

Various combinations of claims stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over EP 0916622 (hereinafter the '622 European Patent), either taken alone or in combination with secondary art. The rejections are respectfully traversed.

In response to the outstanding rejections, and without conceding to the merit of any of those rejections, claim 8 has been amended to state that the method of reducing deposition of mineral salts from an aqueous supersaturated solution onto a solid surface in contact with the aqueous supersaturated solution consists essentially of steps (a), (b) and (c), as stated in claim 8. Moreover, step (a) has been amended to clarify that the dispersed seed crystals of mean particle size less than 2.5 microns have been obtained via generation of cavitation in an aqueous supersaturated solution of the mineral salt or

ACTON et al
Appl. No. 10/014,795
October 24, 2003

a salt isomorphous with the mineral salt. Basis for this amendment can be found at page 6 beginning at line 25. No new matter is entered.

As noted in the Interview Summary Record, agreement was reached that "consisting essentially of" claim language to exclude recrystallization, along with the language now appearing in subparagraph (a) of claim 8 referring to cavitation, is believed to overcome the outstanding obviousness rejections. In light of that indication, withdrawal of all of the outstanding obviousness rejections is believed to be in order, and is requested.

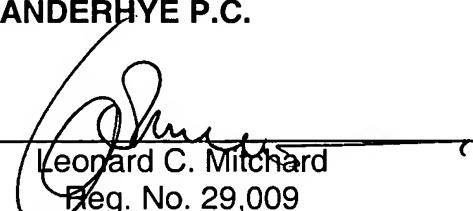
III. NEW CLAIM

New claim 31 is presented which is dependent on claim 8 and further recites the step of monitoring the size of the crystals. Basis for this claim appears in the first complete paragraph on page 15 of the application as originally filed. No new matter is entered.

Allowance of the application is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Leonard C. Mitchard
Reg. No. 29,009

LCM:lfm
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100